FILED

2015 MAY 21 AM 11:52

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY:

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

January 2015 Grand Jury

UNITED STATES OF AMERICA, Plaintiff, v. MICHELLE L. DANCY, Defendant.	CR No. 15-CR 15 00274 I N D I C T M E N T [29 U.S.C. § 501(c): Embezzlement From Labor Organization; 18 U.S.C. § 1028(a)(7): Possession and Use of Means of Identification in Connection with Criminal Activity]

The Grand Jury charges:

General Allegations

At all times relevant to this Indictment:

1. Defendant MICHELLE L. DANCY ("defendant DANCY") was a resident of Lawndale, California, within the Central District of California, and was an employee of the Screen Actors Guild ("SAG").

2. SAG was a labor organization, as defined in Title 29, United States Code, Section 402(i); engaged in an industry affecting commerce; and maintained business offices in Los Angeles, California, within the Central District of California, and elsewhere.

3. SAG represented film and television performers, and, in

AJD:ajd

that capacity, entered into contracts that provided for compensation known as "residuals" to SAG members. The term, "residuals," as used by SAG and others, denoted compensation payable to SAG members beyond the performer's initial compensation and included, by way of example, payments to principal performers when a motion picture was re-released on cable television or DVD or when a television show was re-broadcast.

4. SAG assigned a SAG identification number ("SAG IDN") to each SAG member. Each SAG IDN was unique to the individual SAG member to whom it was assigned, and SAG and its members used the SAG IDNs as a means of identifying specific individuals.

5. In order to facilitate the proper and correct payment of residuals, SAG maintained computerized records that included, for each SAG member, the person's name, SAG IDN, aliases, mailing addresses, beneficiaries, and other identifying and financial information.

6. SAG maintained all unclaimed residuals in separate accounts and published, on its website and elsewhere, information and guidance designed to facilitate claims for unclaimed residuals by previously un-locatable SAG members (and/or their beneficiaries or assignees).

7. SAG's Residuals Estates and Trust Department (the "RET Department") handled the processing of residuals payments to previously un-locatable SAG members and the beneficiaries of such SAG members. SAG established procedures pursuant to which employees in the RET Department were required to compile documents (the "RET Document Packets") in conjunction with all residuals payments in excess of $5,000 to either previously un-locatable SAG members or the beneficiaries of deceased and previously un-locatable SAG members.

The RET Document Packets were required to include, among other things, the SAG member's SAG IDN, screen shots of the SAG member profile, and the signed initials of at least two employees in the SAG RET Department who had reviewed the RET Document Packet.

8. Defendant DANCY was a supervisor in SAG's RET Department. In that capacity, defendant DANCY's duties included, among others,: (1) reviewing the RET Document Packets and ensuring that they had been reviewed and initialed by at least two employees in the RET Department; (2) reviewing correspondence from previously un-locatable SAG members and updating and inputting corrections to SAG member profiles (including updating or modifying the individual's address, alias(es), assignee(s), and/or beneficiary(ies) in accordance with the SAG member's directives); (3) supervising other employees in the RET Department, and (4) overseeing the day-to-day operations of the RET Department.

//

//

//

//

//

//

//

//

//

//

//

//

//

COUNTS ONE THROUGH FOUR

[29 U.S.C. § 501(c)]

9. The Grand Jury re-alleges and incorporates paragraphs 1 through 8 of this Indictment as though set forth in full.

10. On or about the following dates, in Los Angeles County, within the Central District of California, and elsewhere, defendant DANCY, while a person employed directly and indirectly by SAG, a labor organization engaged in an industry affecting interstate and foreign commerce, together with others known and unknown to the Grand Jury, embezzled, stole, and unlawfully and willfully abstracted and converted to her own use and the use of another, the moneys, funds, securities, property, and other assets of SAG, namely, funds held in trust by SAG and payable to SAG members (or their beneficiaries or assignees) in the following approximate amounts:

COUNT	DATE	AMOUNT	SAG MEMBER
ONE	7/28/2010	$9,936	C.S. and T.S.
TWO	8/11/2010	$7,460	N.K.
THREE	8/18/2010	$15,724	A.B.
FOUR	8/18/2010	$20,989	C.M.

//

//

//

COUNTS FIVE THROUGH NINE

[18 U.S.C. § 1028(a)(7)]

11. The Grand Jury re-alleges and incorporates by references paragraphs 1 through 8 of this Indictment.

12. On or about the following dates, in Los Angeles County, within the Central District of California, and elsewhere, defendant DANCY knowingly transferred, possessed, and used, without lawful authority, the means of identification, more specifically, the SAG IDN, of another person, as set forth below, knowing that the means of identification belonged to another actual person and with the intent to commit and in connection with: (a) unlawful activity in violation of federal law, to wit, violations of Title 29, United States Code, Section 501(c) (embezzlement from a labor organization); and

//
//
//
//
//
//
//
//
//
//
//
//
//
//
//

(b) unlawful activity constituting a felony under State law, to wit, grand theft in violation of California Penal Code § 487:

COUNT	DATE	SAG IDN
FIVE	7/28/2010	xxxx05
SIX	8/11/2010	xxxx05
SEVEN	8/18/2010	xxxx05
EIGHT	8/18/2010	xxxx91
NINE	9/08/2010	xxxx05

A TRUE BILL

/S/
Foreperson

STEPHANIE YONEKURA
Acting United States Attorney

ROBERT E. DUGDALE
Assistant United States Attorney
Chief, Criminal Division

RICHARD E. ROBINSON
Assistant United States Attorney
Chief, Major Frauds Section

STEPHEN A. CAZARES
Assistant United States Attorney
Deputy Chief, Major Frauds Section

ANGELA J. DAVIS
Assistant United States Attorney
Major Frauds Section